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| 2                               |  | HONORABLE RICHARD A. JONES                                     |
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| 7<br>8                          | UNITED STATES DISTRICT COURT<br>WESTERN DISTRICT OF WASHINGTON AT SEATTLE                  |  |
| 9                               | LINDSAY DUNN,  | ) No. 2:13-cv-1230 RAJ   |
| 10                              | Plaintiff,   | ORDER GRANTING STIPULATION                                     |
| 11                              | VS.  | ) FOR VOLUNTARY DISMISSAL                                      |
| 12                              | DNGC DAH WAY COMBANY D. I  | )  |
| 13                              | BNSF RAILWAY COMPANY, a Delaware Corporation,  |  |
| <ul><li>14</li><li>15</li></ul> | Defendant.   | )  |
| 16                              | ORDER OF DISMISSAL   |  |
| 17                              | Having considered the parties' Stipulation for Voluntary Dismissal Pursuant to Rule 41, IT |  |
| 18                              | IS HEREBY ORDERED that:  |  |
| 19                              | 1. This case shall be DISMISSED without prejudice;   |  |
| 20                              | 2. Defendant's Motion to Dismiss is MOOT and, therefore, denied; and                       |  |
| 21                              | 3. Each party shall be responsible for its costs and attorneys' fees.                      |  |
| 22                              | DATED this 28 <sup>th</sup> day of October, 2013.  |  |
| 23                              |  | Qil la bu  |
| 24                              |  | Richard A Jones  |
| 25                              |  | The Honorable Richard A. Jones<br>United States District Judge |
| 26                              |  |  |
| 27                              |  |  |
|                                 |  | MONTCOMEDV SCADD DLLC  |

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